

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARK E. MAJOR,
Plaintiff,

v.

CITY AND COUNTY OF SAN
FRANCISCO, et al.,
Defendants.

Case No. 15-cv-03426-KAW

**ORDER DISMISSING AMENDED
COMPLAINT WITH LEAVE TO
AMEND**

Re: Dkt. No. 11

Plaintiff Mark E. Major, acting pro se, commenced this case on July 24, 2015.¹ (Compl., Dkt. No. 1.) On August 6, 2015, the Court dismissed his complaint with leave to amend because it did not provide "a short and plain statement of the claim showing that the pleader is entitled to relief." (Aug. 5, 2015 Order, Dkt. No. 5 (quoting Fed. R. Civ. P. 8(a)(2).) The original complaint was over 155 pages long and included an additional 50 pages of exhibits. (*See id.* at 2.)

Plaintiff has now filed an amended complaint that resembles the original. (Am. Compl., Dkt. No. 11.) It is over 130 pages long and includes over 50 pages of exhibits. (*See id.*) As the Court explained in its previous order, the complaint does not "provide a short and plain statement of the claim showing that the pleader is entitled to relief." *See* Fed. R. Civ. P. 8(a)(2); *see also Prezzi v. Berzak*, 57 F.R.D. 149, 150 (S.D.N.Y. 1972) (dismissing 53-page complaint because it "conform[ed] neither with the form nor the spirit of Rule 8").

Accordingly, Plaintiff's amended complaint is DISMISSED WITH LEAVE TO AMEND. Plaintiff shall file a second amended complaint within 30 days of this order. Plaintiff is once again encouraged to contact the Federal Pro Bono Project's Help Desk—a free service for pro se

¹ On August 13, 2015, Plaintiff consented to magistrate judge jurisdiction pursuant to 28 U.S.C. § 636(c). Pl.'s Consent, Dkt. No. 7.

litigants—by calling (415) 782-8982. The Court has also adopted a manual for use by pro se litigants, which may be helpful to Plaintiff. This manual, and other free information is available online at: <http://cand.uscourts.gov/proselitigants>.

IT IS SO ORDERED.

Dated: 11/06/2015


KANDIS A. WESTMORE
United States Magistrate Judge

United States District Court
Northern District of California